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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket Number (Optional)
BOC9-2003-0025 (394)

In re Application of: Thomas E. Creamer

Application No.: 10/666,307

Filed: September 19, 2003

For: GATHERING OPERATIONAL METRICS WITHIN A GRID ENVIRONMENT USING GHOST AGENTS

The owner*, International Business Machines, Corp., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 10/665,585, filed on September 19, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 47,652

Richard A. Hinson
Signature

August 6, 2007
Date

Richard A. Hinson
Typed or printed name

561-653-5000
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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